

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2010-071359

07/06/2011

HONORABLE MICHAEL W. KEMP

CLERK OF THE COURT

J. Hill

Deputy

IN RE THE MATTER OF  
MANUEL TREVINO

MATTHEW STEVEN SCHULTZ

AND

CECELIA M LERICHI

GUSTAVO TOLEDO

DOCKET-FAMILY COURT CCC  
TASC - PHOENIX

HEARING

Northwest Facility, Courtroom 121

3:38 p.m. This is the time set for a Telephonic Scheduling Conference. Attorney Matthew Steven Schultz appears by telephone on behalf of Petitioner/Father, whose presence is waived. Attorney Gustavo Toledo appears by telephone on behalf of Respondent/Mother, whose presence is waived.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Discussion is held regarding status of the case and pending issues.

IT IS ORDERED affirming the prior order directing the Clerk's Office to change the name on the caption for Respondent from Cecelia M. Levichi to Cecelia M. Lerichi.

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IT IS FURTHER ORDERED that Father's parenting time shall be supervised by his parents (paternal grandparents) at all times until further order of the Court.

IT IS FURTHER ORDERED affirming the drug testing orders for Father.

IT IS FURTHER ORDERED setting this matter for a **Trial/Evidentiary Hearing on September 14, 2011 at 1:30 p.m.** (2 hours allotted) before Honorable Michael W. Kemp at the Northwest Regional Court Center, Courtroom 121, 14264 W. Tierra Buena Lane, Surprise, Arizona 85374, Telephone: (602) 372-0608.

The hearing will address final orders regarding Petitioner's Petition to Establish Child Custody, Parenting Time and Child Support filed August 27, 2010.

Pursuant to Rule 77(B)(1), Arizona Rules of Family Law Procedure (A.R.F.L.P.), each party will be allowed approximately one-half of the time allotted to present his/her case. The time will not be extended absent a timely filed motion granted by the Court.

IT IS FURTHER ORDERED that the parties shall file and provide this Division with a copy of a Joint Pre-Hearing Statement pursuant to Rule 76, A.R.F.L.P., no later than five (5) days prior to the hearing.

IT IS FURTHER ORDERED that the Joint Pre-Hearing Statement shall include a current Parent's Worksheet for Child Support Amount completed by each party pursuant to the Statewide Child Support Guidelines and a specific proposal for custody and visitation by each party.

IT IS FURTHER ORDERED that each party shall file a current Affidavit of Financial Information and present a copy to this Division no later than five (5) days prior to the hearing. Each party shall ensure that the opposing party receives a copy of the Affidavit of Financial Information in accordance with the discovery and disclosure deadlines set forth herein.

IT IS FURTHER ORDERED with regard to discovery and disclosure requirements:

1. Both parties shall exchange updated disclosure statements required by Rules 49 and 50, A.R.F.L.P., including an exchange of all relevant information, documents and exhibits no later than 5:00 p.m. on August 24, 2011.

2. All depositions and discovery contemplated by Rules 49 through 65, A.R.F.L.P., shall be completed and any motions regarding discovery shall be filed no later than 5:00 p.m. on August 31, 2011.

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3. Counsel and/or both parties shall personally meet, face to face (unless there is an Order of Protection in place), at least ten (10) days prior to Evidentiary Hearing, to conduct settlement discussions and narrowing of all procedural and substantive issues in this case.

The parties shall promptly comply with all requests for relevant information in this case. In this regard, the parties shall sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any financial institution/company or business/medical or health care provider/employer possessing any relevant information.

IT IS FURTHER ORDERED that the failure of counsel and/or either party to appear at the time of hearing, or to timely present the Joint Pre-Hearing Statement in proper form shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 70(D), A.R.F.L.P. and Local Rules 6.2(e) and 6.9(b), including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

IT IS FURTHER ORDERED as follows:

1. Counsel and/or the parties shall submit all exhibits to this Division at least five (5) business days prior to the hearing. Exhibits shall not be filed at the Clerk of Court filing counter.

**2. The exhibit packet shall contain a title page which states the case number, whether the exhibits are Petitioner's or Respondent's and the date for the hearing.**

3. Each exhibit shall be stapled if it contains more than one page. Each exhibit shall be clearly separated from the other exhibits, preferably by placing a colored page in between each exhibit. (The clerk will reuse the colored pages if they are left blank.) Failure to clearly separate each exhibit may result in the exhibits being marked differently than counsel and/or the parties intended, such as multiple exhibits being marked as one exhibit.

4. Exhibits will most likely be marked in the order received. The parties will receive an exhibit worksheet at the time of hearing which will be the master list.

5. Duplicate exhibits shall not be presented.

6. The parties shall provide the adverse party with a separate copy of all exhibits.

Counsel and/or the parties are reminded of their obligation to give prompt notice of any settlement to the Court as required by Rule 70, A.R.F.L.P.

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Warning: If only one party appears for the hearing, the Court may strike the pleadings of the absent party and allow the party that appears to proceed by default. The Court may enter other sanctions, including the issuance of a civil arrest warrant or child support arrest warrant for the non-appearing party. If both parties fail to appear, the entire case may be dismissed without further notice to either party.

3:50 p.m. Matter concludes.

IT IS FURTHER ORDERED signing this minute entry as a formal order of the Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

July 6, 2011

/ s / Michael W. Kemp

\_\_\_\_\_  
DATE

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HONORABLE MICHAEL W. KEMP  
SUPERIOR COURT JUDGE

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.